

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

June 3, 2009

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RE: REPLY TO MAY 15, 2009 RESTRICTION OFFICE ACTION, AND  
INFORMATION DISCLOSURE**  
**FOR: SERIAL NUMBER 10/709,880; ART UNIT 1626; FILED 6/3/2004;**  
**TITLE: TOPICAL PREPARATION AND METHOD FOR TRANSDERMAL DELIVERY AND  
LOCALIZATION OF THERAPEUTIC AGENTS**  
**EXAMINER: JASON M. NOLAN**

Dear Sir:

Enclosed please find a detailed ten (10) page reply to the above-referenced restriction, including an election and traversal. Also enclosed is an information disclosure for US 2004/0076648, just cited in a US restriction action in applicants' counterpart case US 11/569,805.

As this reply is timely filed and the number of claims has not changed, no fees are due with this reply.

By and with this reply, I hereby request further examination and consideration of this application, based on the election and traversal submitted, described and supported herein.

Very Truly Yours,



Jay R. Yablon  
Registration # 30604

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CERTIFICATION OF EFS-WEB TRANSMISSION UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence is transmitted to the United States Patent via EFS-Web on the transmission date of June 3, 2009, pursuant to 37 C.F.R. 1.8.

Name of Person signing this certificate: Jay R. Yablon



**Serial Number:** 10/709,880

**Art Unit:** 1626

**Filing Date:** 6/3/2004

**Examiner:** Jason M. Nolan

**Title of Invention:** Topical Preparation and Method for Transdermal Delivery and Localization of Therapeutic Agents

**Inventor:** Richlin et al.

**DETAILED REPLY TO MAY 15, 2009 RESTRICTION OFFICE ACTION**

Following is a detailed reply to the above-referenced office action.

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**Remarks** begin on page 2.